

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
HEIDI A. OJEDA
3 Assistant Federal Public Defender
Nevada State Bar No. 12223
4 411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
5 (702) 388-6577/Phone
(702) 388-6261/Fax
6 Heidi_Ojeda@fd.org
7 Attorney for Shaun Patrick Anderson

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 SHAUN PATRICK ANDERSON,
15 Defendant.

Case No. 2:17-cr-363-APG-EJY

**STIPULATION TO CONTINUE
SENTENCING HEARING**
(Sixth Request)

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17 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
18 Trutanich, United States Attorney, and Patrick Burns, Assistant United States Attorney, counsel
19 for the United States of America, and Rene L. Valladares, Federal Public Defender, and Heidi
20 A. Ojeda, Assistant Federal Public Defender, counsel for Shaun Patrick Anderson, that the
21 sentencing hearing currently scheduled for October 21, 2020 be vacated and continued to a date
22 and time convenient to the Court, but no sooner than ninety (90) days. Additionally, the
23 defenses' response to the Government's sentencing memorandum will be due one week prior
24 to sentencing.

25 This Stipulation is entered into for the following reasons:
26

1 1. The parties are trying to negotiate this case to avoid the need for an evidentiary
2 hearing at sentencing.

3 2. In the event negotiations fall through, the court will need to hold an evidentiary
4 hearing at the time of sentencing. Given the Court's Temporary General Order 2020-05, this
5 hearing should be continued to avoid in-person court appearances.

6 3. The defendant is incarcerated and does not object to the continuance.

7 4. The parties agree to the continuance.

8 5. The additional time requested herein is not sought for purposes of delay, but
9 merely to allow counsel for defendant sufficient time within which to be able to effectively and
10 complete investigation of the discovery materials provided.

11 6. Consistent with the Court's Temporary General Order 202-05, this matter should
12 be continued to avoid in-person hearings and to avoid jeopardizing the public health and safety.

13
14 This is the sixth request to continue sentencing hearing filed in this matter.

15 DATED this 9th day of September 2020.

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17 RENE L. VALLADARES
18 Federal Public Defender

 NICHOLAS A. TRUTANICH
 United States Attorney

19 By /s/ Heidi A. Ojeda

20 HEIDI A. OJEDA
21 Assistant Federal Public Defender

 By /s/ Simon F. Kung

 SIMON F. KUNG
 Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHAUN PATRICK ANDERSON,

Defendant.

Case No. 2:17-cr-363-APG-EJY

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties are trying to negotiate this case to avoid the need for an evidentiary hearing at sentencing.

2. In the event negotiations fall through, the court will need to hold an evidentiary hearing at the time of sentencing. Given the Court's Temporary General Order 2020-05, this hearing should be continued to avoid in-person court appearances.

3. The defendant is incarcerated and does not object to the continuance.

4. The parties agree to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and completely prepare for sentencing.


6. Consistent with the Court's Temporary General Order 202-05, this matter should be continued to avoid in-person hearings and to avoid jeopardizing the public health and safety.

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to jeopardize the public health and safety in light of COVID-19.

IT IS THEREFORE ORDERED that the defenses' response to the Government's sentencing memorandum will be due one week prior to sentencing.

IT IS FURTHER ORDERED that the sentencing hearing currently scheduled for October 21, 2020, at 1:00 p.m., be vacated and continued to January 20, 2021 at the hour of 2:00 p.m. in Courtroom 6C.

DATED this 9th day of September, 2020.



UNITED STATES DISTRICT JUDGE